

Remarks

Germany is directed to doors, not window coverings, and to date no evidence has been adduced of record that the window covering artisan dealing in designing flexible and (compared to doors) flimsy covering members to cover fragile glass windows logically would look to an art dealing in steady, stiff doors to cover openings for ingress and egress, see MPEP §2141. Accordingly, Germany is not analogous to the present claims.

Furthermore, it appears that the flash of visible light used by Germany to actuate the second (data) receiver could not be replaced with IR or RF, since Germany carefully designs the flash to distinguish itself from ambient light, and ambient heat or transient RF transmissions otherwise would be expected to interfere. Indeed, on page 5 of the English translation of Germany, last paragraph, it is explicitly taught that the visible spectrum "advantageously" is used to reduce power consumption and to facilitate easily adjusting rise gradation and instantaneous brightness, clearly teaching away from a trigger or wake-up signal that is IR or RF as claimed.

Additionally, Claims 1 and 12 require the data signal to have a higher frequency than the wake-up signal. While Germany is silent as to frequencies, it contemplates IR as the data signal - with a lower frequency than visible light - and nowhere mentions that when RF is used as the data signal, the RF should have a higher frequency than visible light. The mere fact that a reference can be modified does not render an invention obvious, unless the modification is suggested by the prior art, In re Mills, cited in MPEP §2143. Here, Germany does not recognize the advantage disclosed in the present specification on page 11, lines 6-11

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of having a low frequency wake-up signal and a higher frequency data signal, much less does Germany suggest such a relationship.

The Examiner is cordially invited to telephone the undersigned at (619) 338-8075 for any reason which would advance the instant application to allowance.

Respectfully submitted,


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